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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5
6 CITY OF FERNLEY,

7 Plaintiff,

8 v.

9 ERNEST A. CONANT, *et al.*,

10 Defendants.

Case No. 3:21-cv-00119-MMD-CLB

ORDER

11 Plaintiff sued Defendants over Defendants' approval of a plan to repair the Truckee
12 Canal. (ECF No. 1.) Before the Court is Defendant-Intervenor-Applicant the Pyramid Lake
13 Paiute Tribe (the "Tribe")'s motion to intervene as of right under Fed. R. Civ. P. 24(a)(2),
14 or in the alternative, for permissive intervention under Fed. R. Civ. P. 24(b). (ECF No. 24
15 (the "Motion").) The Tribe seeks to intervene because Plaintiff's challenge to the plan to
16 repair the Truckee Canal may affect its vested water rights. (*Id.* at 1-2, 9-12.) Neither
17 Plaintiff the City of Fernley (ECF No. 26), nor Intervenor Plaintiffs David F. Stix, Jr., and
18 Deena Edmonston oppose the Motion (ECF No. 27). Defendants Ernest A. Conant and
19 Commissioner United States Bureau of Reclamation's (the "Federal Defendants")
20 response to the Motion was due June 21, 2021, but Federal Defendants did not file one.
21 See LR 7-2(b) (providing 14 days to file a response to the Motion). The Motion is therefore
22 unopposed. See LR 7-2(d) ("The failure of an opposing party to file points and authorities
23 in response to any motion, except a motion under Fed. R. Civ. P. 56 or a motion for
24 attorney's fees, constitutes a consent to the granting of the motion."). Good cause
25 appearing, the Court will grant the Motion.

26 It is therefore ordered that Defendant-Intervenor-Applicant's motion to intervene
27 (ECF No. 24) is granted.

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1 It is further ordered that Defendant-Intervenor-Applicant is admitted into this
2 litigation as Defendant-Intervenor, with full rights of participation.

3 DATED THIS 25th Day of June 2021.

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A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written above a horizontal line.

MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE